

## JOURNAL OF THE HOUSE.

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Thursday, May 4, 2006.

Met at seven minutes after one o'clock P.M., in an Informal Session, with Mrs. Harkins of Needham in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, our source of hope and trust, we believe in You. We also believe that You have a personal concern for our material and spiritual well-being. In response, help us to recognize and to follow faithfully Your ways, values and the ideals which You have made known to us as we live each day. In Your kindness, help us to do what is right, to love goodness, to seek truth and to have compassion for people in need. In these uncertain and stressful times, grant us the patience to resolve the day's complex and often emotional issues and policies in a thoughtful, reasoned and mature manner.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mrs. Harkins), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

### *Statement Concerning Representative Perry of Sandwich.*

A statement of Mr. Jones of North Reading concerning Mr. Perry of Sandwich was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Perry of Sandwich, was not present in the House Chamber for the sitting of Friday last due to a death in his family. Any roll calls that he missed that day was due entirely to the reason stated.

Statement  
concerning  
Representative  
Perry of  
Sandwich.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Messrs. Eldridge of Acton and Hargraves of Groton) celebrating National Nurses Week;

National  
Nurses Week.

Resolutions (filed by Ms. Khan of Newton) congratulating Joseph A. Zissman on receiving the Eagle Award of the Boy Scouts of America;

Joseph A.  
Zissman.

Resolutions (filed by Mr. Marzilli of Arlington) honoring Henry Milorin;

Henry  
Milorin.

Resolutions (filed by Mr. Miceli of Wilmington) honoring Dr. Henry Haynes on his retirement as a physician;

Henry  
Haynes.

Resolutions (filed by Ms. Peisch of Wellesley) celebrating the inauguration of Carole M. Berotte Joseph, PH.D; and

Carole M.  
Berotte  
Joseph.

Adam C.  
Jasie.

Resolutions (filed by Mr. Turner of Dennis) congratulating Adam C. Jasie on receiving the Eagle Award of the Boy Scouts of America; Mr. Petrolati of Ludlow, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Ms. Khan, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

The following order (filed by Mr. Jones of North Reading) was adopted:

Eminent  
domain  
takings.

*Ordered*, That the House of Representatives hereby calls for a joint session of the two Houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution prohibiting eminent domain takings for the purpose of economic development (House, No. 4604),— with reference to which the committee on the Judiciary has reported, in accordance with Joint Rule 23, that the amendment ought NOT to pass, the time within which the said committee was required to report having expired.

Communications.

Federal  
credit  
unions.

A communication from the Commissioner of Banks (under Section 6A of Chapter 171 of the General Laws) submitting a summary of proposed regulations for the implementation of federal credit union parity (House, No. 4922) was referred to the committee on Financial Services. Sent to the Senate for concurrence.

Norfolk  
County  
Registry  
of Deeds.

A communication from the Norfolk County Registry of Deeds (under Section KKK of Chapter 29 of the General Laws) submitting an initial plan for technological improvements at said registry, was spread upon the records of the House; and it was placed on file.

Papers from the Senate.

The Judiciary  
committee,  
extension  
of time for  
reporting.

The House Order relative to granting until Friday, June 30, 2006, the time within which the committee on the Judiciary is authorized to make its final report on all Senate and House documents referred to said committee, came from the Senate with the endorsement that it had been adopted by said branch, in concurrence, with an amendment striking out the date “Friday, June 30, 2006” and inserting in place thereof the date “Thursday, April 27”.

Under suspension of Rule 35, on motion of Mr. O’Flaherty of Chelsea, the amendment was considered forthwith.

The House then non-concurred with the Senate in its amendment. Sent to the Senate for its action.

Bellingham,  
insurance.

A Bill authorizing the town of Bellingham to establish a group insurance liability fund (Senate, No. 2260) (on a petition) [Local

Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill authorizing boards of health to regulate the hours of collection of certain trash (Senate, No. 1173),— and recommending that the same be recommitted to the committee on Municipalities and Regional Government. Under Rule 42, the report was considered forthwith; and it was accepted.

Trash,  
removal.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning active and retired public employees (House, No. 4723) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 469) of Rachel Kaprielian and others relative to providing partial adjustment to retired teachers’ pensions,— and recommending that the same be recommitted to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted.

Retired  
teachers’  
pensions.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning active and retired public employees (House, No. 4800) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 392) of J. James Marzilli, Jr., and Byron Rushing for legislation to regulate investments of retirement funds by the State Treasurer in certain corporations,— and recommending that the same be recommitted to the committee on Public Service. Under Rule 42, the report was considered forthwith; and it was accepted.

Retirement  
investments.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on Elder Affairs to make an investigation and study of certain House documents concerning elder affairs (House, No. 4847) reported, in part, asking to be discharged from further consideration

Elder affairs,  
study.

Of the petition (accompanied by bill, House, No. 2896) of Ronald Mariano for legislation to establish a direct care worker reserve fund; and

Direct care  
worker reserve  
fund.

Of the petition (accompanied by bill, House, No. 2943) of Peter J. Koutoujian relative to dementia special care units in long-term care facilities;

Long-term  
care  
facilities.

And recommending that the same severally be recommitted to the committee on Elder Affairs.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Credit  
unions.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to credit unions in the Commonwealth (House, No. 3029) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Ms. Gobi of Spencer, the bill was read a second time forthwith.

Pending the question on ordering the bill to a third reading, Mr. Jones of North Reading moved that it be amended by substitution of a bill with the same title (House, No. 4927), which was read.

The amendment was adopted; and the substituted bill was ordered to a third reading.

Hunting,  
Sundays.

Report of the committee on Public Safety and Homeland Security, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4517) of Daniel Simkewicz and others relative to hunting on Sundays.

Under suspension of the rules, on motion of Ms. Gobi of Spencer, the report was considered forthwith.

Pending the question on acceptance of the report, the petition was referred, on further motion of the same member, to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Correction  
review  
board.

Report of the committee on Public Safety and Homeland Security, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 1912) of Kay Khan and others relative to establishing a citizen review board to study, review and report on activities of the Department of Correction.

Under suspension of the rules, on motion of Ms. Khan of Newton, the report was considered forthwith.

Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

Health care,  
study.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, on House, Nos. 1824, 2715, 2748, 2769, 2770, 2778, 3101, 3102, 3103, 3630, 3911 and 3948, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning extended health care benefits (House, No. 4923).

Health care  
claims,  
study.

By the same member, for the committee same committee, on House, Nos. 1505, 1617, 2615, 2636, 2685, 2723, 2755, 2761, 2771, 2781, 2782, 2784, 2884, 2885 and 2894, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning health insurance claims (House, No. 4924).

Veterans  
services,  
study.

By Mr. Verga of Gloucester, for the committee on Veterans and Federal Affairs, on Senate, Nos. 1975, 1976, 1982, 1983, 1991, 1992, 1993, 1994, 1995, 1996, 1998, 1999, 2000, 2006, 2007, 2016 and 2018 and House, Nos. 1696, 1699, 1704, 1705, 1708, 1709, 1711, 1717, 1718, 2905, 2906, 2907, 2909, 2910, 2911, 2913, 3543, 3833, 4041, 4042 and 4228, an Order relative to authorizing the committee on Veterans and Federal Affairs to make an investigation

and study of certain Senate and House documents concerning veterans services and other related matters (House, No. 4925).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

### *Emergency Measure.*

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land to the town of Milford (see House, No. 1420, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Milford,  
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 6 to 0. Sent to the Senate for concurrence.

### *Engrossed Bills.*

The engrossed Bill further regulating meetings of municipal boards (see House, No. 4489, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill  
re-enacted.

The engrossed Bill establishing a task force within the Board of Registration in Medicine to study medical spas (see Senate, No. 2191, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

### *Orders of the Day.*

The Senate Bill relative to the reporting of fires in schools (Senate, No. 1381), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third  
reading  
bill.

The House Bill relative to the Bourne Water District (House, No. 4459) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

H

Third reading  
bill rejected.

The Senate Bill relative to tax laws (Senate, No. 2156, amended) was considered, the recurring question being on passing the bill, as amended, to be engrossed, in concurrence.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

The House then refused to pass the bill to be engrossed, in concurrence.

Third reading  
bill amended.

The Senate Bill amending the Nantucket Island Land Bank Act to increase the first-time homebuyers exemption (Senate, No. 2330) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by striking out all after the enacting clause and the title and inserting in place thereof the text and title contained in House document numbered 4926.

The amendments were adopted; and the bill (Senate, No. 2330, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments adopted by the House.

*Order.*

On motion of Mr. DiMasi of Boston,—

Next  
sitting.

*Ordered*, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

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At twenty-four minutes before two o'clock P.M., on motion of Ms. Wolf of Cambridge (Mrs. Harkins of Needham being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.